

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PEGGY M. GRAHAM

Plaintiff,

Case No. 3:09-cv-113

vs.

Judge Thomas M. Rose

**MICHAEL J. ASTRUE,
Commissioner of the
Social Security Administration,**

Magistrate Judge Sharon L. Ovington

Defendant.

**ENTRY AND ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS (Doc. #8) IN ITS ENTIRETY;
DISMISSING PEGGY M. GRAHAM'S COMPLAINT WITHOUT
PREJUDICE; AND TERMINATING THIS CASE**

Plaintiff Peggy M. Graham ("Graham") brought this pro se action seeking judicial review of a final decision of the Defendant Commissioner of Social Security (the "Commissioner"). Graham, however, has not filed a Statement of Errors in response to the Commissioner's Answer after repeated warnings to do so.

On August 11, 2009, United States Magistrate Judge Sharon L. Ovington entered a Report and Recommendations (doc. #8) recommending that Graham's Complaint be dismissed without prejudice for failure to prosecute. The time has run and no objections thereto have been filed.

Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (doc. #8), a thorough de novo review of the record in this matter,

and a thorough review of the applicable law, this Court adopts the aforesaid Report and Recommendations in its entirety and, in so doing, dismisses Graham's Complaint without prejudice.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton. Finally, the Clerk of Court is hereby order to furnish a copy of this Entry and Order to Peggy M. Graham at her last address of record.

DONE and **ORDERED** in Dayton, Ohio, this Fourth day of September, 2009.

s/**Thomas M. Rose**

JUDGE THOMAS M. ROSE
UNITED STATES DISTRICT COURT

Copies furnished to:

Counsel of Record

Peggy M. Graham